

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA OF  
NORTHERN DIVISION

THOMAS DANIEL VEITCH, #180586, )  
  )  
Plaintiff,                         )  
v.                                      ) CASE NO. 2:08-cv-0043-MEF  
  )  
D. K. CORKRAN, *et al.*,         )  
  )  
Defendants.                         )

**O R D E R**

On February 1, 2008, the Magistrate Judge filed a Recommendation (Doc. #8) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The plaintiff's claims against the Montgomery Police Department are DISMISSED prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
3. The Montgomery Police Department is DISMISSED as a defendant in this cause of action.
4. This case, with respect to the plaintiff's claims against defendants Cockran and Baylor, is referred back to the Magistrate Judge for appropriate proceedings. .

DONE this the 25th day of February, 2008.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE